

**EXTENSION OF ASSURANCE AGREEMENT FOR COMPLETION OF
RED HAWK II SUBDIVISION, UNITS 2 AND 3 IMPROVEMENTS
DOCKET NO. S-05-10**

THIS EXTENSION AGREEMENT made and entered as of this ____ day of December_____, 2021, between PIONEER TITLE AGENCY, INC., an Arizona Corporation, as Trustee under Trust No. #140133, hereinafter referred to as "Trustee", and Red Hawk Ranch Properties, LLC, an Arizona limited liability company as Beneficiary(ies) of Trust No. #140133, hereinafter referred to as "Beneficiary", and COCHISE COUNTY, Arizona, hereafter referred to as "County."

WHEREAS, a final plat has been recorded for the Red Hawk II Subdivision, as Docket No. S-05-10, in Book 15, pp. 82-82N of Maps and Plats, in the Office of the Cochise County Recorder;

WHEREAS, an Assurance Agreement between Cochise County and Pioneer Title Agency, Inc, as Trustee under Trust #140133, with beneficiaries Red Hawk Ranch Properties, LLC, was made for the completion of subdivision improvements for the Red Hawk II Subdivision;

WHEREAS, said Agreement was recorded on May 23, 2018; Fee #2018-09518, in the Office of the Cochise County Recorder, with an expiration date of May 22, 2021;

WHEREAS, the above Assurance Agreement provides that the developer may petition the County for an extension of the agreement beyond the three years given for completion of improvements;

WHEREAS, the beneficiaries maintain that economic considerations have made progress on improvements within the development difficult to achieve in the allotted time;

WHEREAS, Pioneer Title Agency, Inc, as Trustee under Trust #140133, and Beneficiary Red Hawk Ranch Properties, LLC have requested an extension of time for completion of improvements; and

WHEREAS, Cochise County believes that such an extension is justified.

NOW, THEREFORE IT IS HEREBY AGREED THAT:

The Assurance Agreement for Completion of Subdivision Improvements recorded on May 23, 2018; Fee # 2018-09518 is extended with a new expiration date of May 22, 2025, and the parties hereto agree to abide by the terms of such Assurance Agreement. This extension of assurance agreement will cover any remaining lots that have not been previously released by Cochise County.

IN WITNESS WHEREOF, the parties have executed this Extension of Assurance Agreement this _____ day of _____, 2022.

COCHISE COUNTY:

Ann English, Chairman
Cochise County Board of Supervisors

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

Civil Deputy County Attorney

TRUSTEE:

Pioneer Title Agency
(Title Company)

An Arizona Corporation, as Trustee under
Trust No. #140133 only and not in its capacity

BY: _____
Trust Officer

